

## Remarks/Arguments

Claims 1, 3-6, 8-13, 15, and 19-23 are pending.

Claims 1, 6, 15, 21, 22, and 23 have been amended to more clearly and distinctly recite the subject matter that applicant regards as his invention. No new matter is believed to be added by the present invention.

Responsive to the rejection of claims 1-18, and 21-23 under 35 U.S.C. 103(a) as being unpatentable over Hui (US 4,229,808) in view of Gotoh et al (US 6,052,465), Applicant respectfully submits that for the reasons discussed below amended claims 1, 6, 15, 21, 22, and 23, and the claims that depend therefrom, are patentably distinguishable over the cited prior art references.

The present invention provides for individualized encoded data associated with respective program data on a recording medium. In particular, the invention provides for the encoded data to be disposed on a specific portion of the recording medium that is distinct from the area in which the program data is stored. In the exemplary embodiment, the recording medium comprises a DVD disk having a Burst Cutting Area (BCA) for storing the individualized encoded data. The BCA is specified to be between a selected inner circumference and a selected outer circumference from the center of the disc (page 4, lines 7-14).

The current DVD specifications do not teach that multiple BCA areas may be included on a single disk, or that a BCA may be applied to a dual sided disk, or that each layer or each side a recording medium may have a unique BCA. The present invention recognizes that it is desirable to be able to provide multiple laser-encoded areas on a single disk, in particular, a respective laser-encoded area having selectively distinctive information for each side and/or layer of a recording medium (page 5, lines 7-19). The present invention further recognizes that the laser cutting process used to form the BCA may cause potential defects if more than one BCAs are used on a disk and the different BCAs overlap each other (page 6, lines 1-12).

To overcome the above, the present invention teaches multiple BCAs that are disposed in non-overlapping areas. The invention also teaches placing the multiple BCAs in the same location as that currently specified in the DVD specification. The advantage of having the respective BCA for each layer

at the same location as currently specified in the DVD specifications is that no hardware modification is needed for a present DVD player to be able to read the individualized code encoded in the respective BCA area (page 8, lines 11-23).

In that regard, amended claim 1 recites:

*said first area and said second area being disposed between the center of the recording medium and an outer circumference, said respective program data being disposed outside the outer circumference, and said first area and said second area occupying non-overlapping positions with respect to each other.*

Amended claims 6, 15, 21, 22, and 23 similarly recite this feature.

Applicant submits that none of the cited prior art references teach or suggest this feature.

Hui relates to a method for recording multiple data segments on a storage disc, wherein the data segments may be recorded in a non-continuous manner. Hui seeks to overcome potential problems associated with the storage disc having an eccentricity factor, in particular, the potential destruction of data due to "recording over" caused by the data tracks being too close to each other (col. 1, lines 21-40).

In that regard, Hui provides for a recording gap between the data segments, as shown in fig. 1. Each of the data segments comprise data portion A, followed by index file B, directory file C, and last recording track E (fig. 2). The index file B contains the logical sector numbers or tracks for the particular data included in bracket A (col. 6, lines 10-12).

It is clear from figs. 1 and 2, and their associated description, that the data segments are disposed in sequential fashion from the center of the disc, and that the encoded data associated with the data portions are **not disposed in a specific area** between the center of the recording medium and an outer circumference, wherein the data portion is disposed outside the outer circumference, as recited in the present amended claims. Hui specifically places the data segments in sequential fashion outward from the center of the disc, with a **gap between the data segments** in order to overcome the

potential problem of overwriting data due to close data tracks. Nowhere does Hui teach or suggest the above-recited feature of the present amended claims.

Grotoh et al is cited as teaching recording of programs and areas on different sides of a two-sided recordable medium. Applicant submits that for the reasons discussed in applicant's previous response and the above, Grotoh et al fails to cure the defect of Hui as applied to the cited claims. As such, Applicant respectfully submits that amended claims 1, 6, 15, 21, 22, and 23, and the claims that depend therefrom, are patentably distinguishable over the combination of Hui and Grotoh.

Having fully addressed the Examiner's rejections, Applicants submit that the present application is in condition for allowance and respectfully request such action. No fee is believed due in regard to the present amendment. However, if a fee is due, please charge the fee to Deposit Account 07-0832. Should any questions arise regarding any of the above, the Examiner is requested to contact the undersigned at 609-734-6815.

Respectfully submitted,

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#### CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to, Commissioner for Patents, Alexandria, Virginia 22313-1450 on:

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Date

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